

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JULY 16, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:30 a.m.
The meeting was recessed by Mayor O'Connor at 12:45 p.m. to
reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:10 p.m. with no
quorum. Mayor O'Connor called the roll again at 2:25 p.m., with
Council Members Wolfsheimer, Roberts, Hartley, Henderson, and
Filner not present. Due to lack of a quorum, Mayor O'Connor
adjourned the meeting at 2:40 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-excused by
R-278415 (attend Coastal Commission meeting)
- (2) Council Member Roberts-present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Fishkin (ll/rb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

ITEM-201: (R-92-10) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Proposal to revise fees/deposits and establish new fees/deposits for the Planning Department pursuant to Section 101.0204 of the San Diego Municipal Code.

(Citywide.)

Adoption of a Resolution revising the fees/deposits and establishing new fees/deposits for the Planning Department.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-330: (R-91-2282) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Authorizing the execution of a cooperative agreement with the State of California, for two Park-and-Ride facilities;

approving the acquisition of property to provide a Park-and-Ride facility on the east side of Carmel Mountain Road across from the intersection with Freeport Road;

authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$200,000 from Contributions Fund CIP-63-022 and \$979,000 from the

State of California to CIP-52-415.0, Park-and-Ride Lots; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$50,000 from CIP-52-393.0, Fund 79004, Black Mountain Road from SR-56 to the Southern Community Plan Boundary, to CIP-52-415.0, for the purchase of a Park-and-Ride lot on Carmel Mountain Road; authorizing the increase of the budget for CIP-52-415.0, Park-and-Ride, Carmel Mountain Road and Rancho Penasquitos Boulevard, by \$579,000 with \$200,000 contributed by the Metropolitan Transit Development Board (MTDB) and \$379,000 contributed by the State of California, both in CIP Construction Fund 63022;

authorizing the expenditure of an amount not to exceed \$1,429,000 from CIP-52-415.0: \$250,000 from Penasquitos East Facilities Benefit Assessment Fund 79-004; \$1,179,000 from the Contributions Fund CIP-63-022 (\$200,000 contributed by the Metropolitan Transit Development Board (MTDB) and \$979,000 contributed by the State of California) for the purpose of providing funds for acquisition and related expenses.

(Penasquitos East and Carmel Mountain Ranch Community Areas. Districts-1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement would assist in the acquisition of property for two park-and-ride lots near the northern terminus of the High Occupancy Vehicle (HOV) lanes on Interstate 15. The first site is in the Penasquitos East community, on Carmel Mountain Road across from the intersection of Freeport Road. This site will be acquired by the City of San Diego, assisted by funding from MTDB and the State of California. The park-and-ride lot will be constructed by the State of California. The second site is located in the Carmel Mountain Ranch community on Rancho Carmel Drive at the intersection with Provencal Place. This site, and the parking structure on it, will be provided by the developer. Both sites will be operated and maintained by the State of California under a 20-year lease from the City of San Diego. The use of both properties for park-and-ride facilities is consistent with the community plans for Penasquitos East and Carmel Mountain Ranch.

Aud. Cert. 9100979.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-331: (R-91-2006) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance, in the matter of the Sabre Springs
Landscape and Lighting Maintenance District.

(Sabre Springs Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the
annual assessments for the Sabre Springs Landscape and Lighting
Maintenance District. The district provides maintenance for
landscaped medians and open space within the district boundaries.
The Fiscal Year 1992 proposed maintenance costs for the district
are as follows:

Contractual Maintenance	\$ 41,000
Personnel	22,402
Utilities	10,500
Incidentals	23,913*
Total Expenses	\$ 97,815
Reserve	8,712
Total	\$106,527
Less Carry-over & Interest	6,100
Less City Contribution	14,426
Assessed to District	\$ 86,001

*Includes Assessment District Management Fee of \$5,539.

The proposed assessment for Fiscal Year 1992 is approximately \$34
per residential unit compared to \$22 for Fiscal Year 1991. The
increase in the assessment is due to additional landscaping
coming on-line for Fiscal Year 1992 and proposed replacement of
high water usage material with drought resistant plants.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-332: (R-91-2011) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance, in the matter of the Downtown Maintenance
District.

(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Downtown Maintenance District. The district provides landscaping and special area maintenance to Downtown Street Trees, "C" Street Mall, Horton Plaza Retail Center, East Broadway, and provides litter removal and graffiti control in certain downtown areas. The Fiscal Year 1992 proposed maintenance costs for the total district are as follows:

Contractual Maintenance	\$110,550
Personnel	398,763
Utilities	7,460
Incidentals	200,693*
Total Expenses	\$717,466
Reserve	41,559
Total	\$759,025
Less Carry-over & Interest	66,500
Less City Contribution	12,320
Assessed to District	\$680,205

*Includes Assessment District Management Fee of \$40,400.

The assessments for each of the five zones are tabulated below:

1.Street Trees	2."C" St. Mall	3.Litter Removal & Graffiti Control	4.Horton Plaza	5.East Broadway Retail
FY '92				
\$150,290	\$123,719	\$331,655	\$36,311	\$38,230
FY '91				
\$146,405	\$121,568	\$300,802	\$34,420	\$35,345
Change				
+ \$3,885	+ \$2,151	+\$30,853	+\$1,891	+\$2,885
Percent				
+ 2.6%	+ 1.7%	+ 10.3%	+ 5.4%	+ 8.1%

The reasons for the increases in the assessments are as follows:

Zone 1, increase in tree maintenance contract cost; Zones 2, 4 and 5, salary and overhead increase, and Zone 3, an expanded graffiti control program for FY '92.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101 .)

ITEM-333: (R-91-2017) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance, in the matter of the Park Village
Landscape Maintenance District.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the
assessments for the maintenance of landscaped medians and slopes
in the Park Village Landscape Maintenance District for Fiscal
Year 1992. The developer of the subdivision will continue to
provide all necessary maintenance for any newly landscaped areas
until they are turned over to and accepted by the district. The
Fiscal Year 1992 proposed maintenance costs for the district are
as follows:

Contractual Maintenance	\$ 74,500
Personnel	13,442
Utilities	17,300
Incidentals	19,255*
Total Expenses	\$124,497
Reserve	11,807
Total	\$136,304
Less Carry-over & Interest	22,200
Less City Contribution	6,729
Assessed to District	\$107,375

*Includes Assessment District Management Fee of \$7,049.

Assessments for Fiscal Year 1992 correspond to approximately \$33
per dwelling unit compared to \$28 for Fiscal Year 1991. The
increase in the assessment is due to additional landscaping
coming on-line for Fiscal Year 1992 and related expenses.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-334: (R-91-2014) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Considering the protests and approving the modified
map, in the matter of the Calle Cristobal Landscape and
Lighting Maintenance District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Calle Cristobal Landscape and Lighting Maintenance District was established in 1987 to provide maintenance for landscaped medians, streetscapes and the street side of the sound attenuator wall along Calle Cristobal within the district boundaries. Assessments were levied and collected for Fiscal Year 1989. However, due to delays in the developer's implementation schedule and changes in landscaping concept and plans, no maintenance was provided in Fiscal Year 1989 through 1991, and none is scheduled for Fiscal Year 1992. The developer will continue to provide maintenance for the existing landscaping improvements until they are accepted and taken over by the district. It is anticipated that the district will start maintaining the existing landscaping improvements in Fiscal Year 1993. The current district account balance of \$74,448 and an estimated interest amount of \$5,000, a total amount of \$79,448, will be carried over to the following fiscal year's budget. Amount assessed to the district for Fiscal Year 1992 = \$0.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-335: (R-91-2003) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Scripps-Miramar Ranch Landscape and Lighting Maintenance District.

(Scripps-Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Scripps-Miramar Ranch Landscape and Lighting Maintenance District. The district provides landscape maintenance for open space and medians, and maintenance for street light standards. The Fiscal Year 1992 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$145,000
Personnel	44,894
Utilities	37,000
Incidentals	38,337*
Total Expenses	\$265,231
Reserve	100,215

Total	\$365,446
Less Carry-over & Interest	165,000
Less City Contribution	12,470
Assessed to District	\$187,976

*Includes Assessment District Management Fee of \$15,239.

The proposed unit assessment for Fiscal Year 1992 is approximately \$32.84. Unit Assessment for Fiscal Year 1991 was \$31.28. The increase in the assessment is due to a tree maintenance project requested by the community.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-336: (R-91-2000) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Penasquitos East Landscape Maintenance District.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Penasquitos East Landscape Maintenance District. The district provides for the maintenance of landscaped medians and open space within the district. The Fiscal Year 1992 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 71,000
Personnel	11,225
Utilities	14,600
Incidentals	19,869*
Total Expenses	\$116,694
Reserve	34,611
Total	\$151,305
Less Carry-over & Interest	54,000
Less City Contribution	16,310
Assessed to District	\$ 80,995

*Includes Assessment District Management Fee of \$6,605.

The total amount assessed to the district in Fiscal Year 1992 will be approximately \$5.75 per residential unit, compared to

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FILE LOCATION: --

ITEM-337: (R-91-1900) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

(Mission Valley Community Area. District-6.)

Contractual Maintenance	\$182,800
Personnel	30,719
Utilities	25,250
Incidentals	53,071*
Total Expenses	\$291,840
Reserve	133,412
Total	\$425,252
Less Carry-over & Interest	111,500
Less City Contribution	150,000
Assessed to District	\$163,752

Fiscal Year 1992 assessments will range from \$90 for the condo units coming on line for the first time this year, and from \$358 to \$58,000 for the individual parcels as compared to \$467 to \$75,494 in Fiscal Year 1991.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-338: (R-91-) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

Appeal of Old Grove Associates, by Ronald W. Currie, General Partner, from the decision of the Planning Commission in approving the map with conditions. This project was a request to divide a 2.68-acre lot into three parcels for industrial development, and a requested variance to allow one 36,640 square-foot parcel where the M-IP Zone requires 40,000 square feet.

The subject property is located at the southwest corner of Old Grove Road and Business Park Avenue, in Zone M-IP, in the Scripps Miramar Ranch Community Plan area, and is more particularly described as Lots 6 and 7 of Scripps Ranch Business Park Unit Two, Map-8887.

(TM-90-1025. District-5.)

Adoption of a Resolution granting or denying the appeal and granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-S406: (O-91-148) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

(Trailed as Unfinished Business from the Special Meeting of Thursday, March 14, 1991, Item 707; Continued from the meetings of March 18, 1991, Item S407, March 26, 1991, Item S503, April 8, 1991, Item 202, April 16, 1991, Item 603, April 22, 1991, Item 601, May 6, 1991, Item 601, May 14, 1991, Item 601, and May 21, 1991, Item 601; last continued at Mayor O'Connor and the City Manager's request, to be heard after the Water Utilities Department Budget.)

Introduction of an Ordinance amending Chapter VI, Article 4, Division 4, of the San Diego Municipal Code, by amending Section 64.0411, and amending Chapter VI, Article 7 of the San Diego Municipal Code, by amending

Section 67.59.1, relating to Sewer and Water Rate Adjustment.

CITY MANAGER SUPPORTING INFORMATION: The Municipal Code (Section 64.0411 and 67.59.1) currently provides that water and sewer rates be adjusted annually on the first day of January to compensate for any increases in the costs of purchased water and/or energy which are beyond the control of the City. The Proposed Ordinance:

1. Amends Section 64.0411 (Sewer Rates - Adjustments) and 67.59.1 (Water Rates - Adjustments) to provide that adjustments to water and sewer rates be made at any time to compensate for increases in Water Purchase and/or Energy Costs.

WU-U-91-134.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-S407: (R-92-) TRAILED TO JULY 22, 1991, DUE TO
LACK OF A QUORUM

(Trailed as Unfinished Business from the Special Meeting of Thursday, March 14, 1991, Item 706; Continued from the meetings of March 18, 1991, Item S406, March 26, 1991, Item S502, April 8, 1991, Item 203, April 16, 1991, portion of Item 604, April 22, 1991, Item 602, May 6, 1991, Item 602, May 14, 1991, Item 602, and May 21, 1991, Item 602; last continued at Mayor O'Connor and the City Manager's request, to be heard after the Water Utilities Department Budget.)

Adoption of a Resolution amending and/or increasing certain currently effective water rates and charges as part of the annual review of water and sewer utility rates.

NOTE: On 4/16/91 Council adopted the single-family residential rates and charges, and continued the commercial, industrial and irrigation portions. On 3/26/91 Council directed staff to begin the implementation of a tiered approach toward setting the water utilities rates based on the average residential use of 110 cubic feet per month, which is 250 gallons per house per day.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-S411: TRAILED TO JULY 22, 1991, DUE TO LACK OF A QUORUM

Two actions relative to a Recreational Vehicle Parking
Enforcement Moratorium:

Subitem-A: (O-91-197)

Introduction of an Ordinance amending Chapter X,
Article 1, Division 4, of the San Diego Municipal Code
by amending Section 101.0407 and Section 101.0410,
relating to a temporary suspension of the enforcement
of regulations affecting storage and parking of
recreational vehicles in residential zones.

Subitem-B: (R-91-2270)

Adoption of a Resolution authorizing the Planning
Director to take necessary steps to cause temporary
suspension, for a period not to exceed six months,
enforcement of the storage and parking regulations for
recreational vehicles in residential zones, during
which time a comprehensive policy and administrative
process shall be developed;

directing that San Diego Municipal Code Sections
101.0407 and 101.0410 be amended to provide for such
temporary suspension of enforcement of recreational
vehicles parking and storage regulations; authorizing
the Planning Director to enforce Municipal Code
Sections 101.0407F and 101.0410(0) only for those
violations which the Planning Director deems to
constitute a safety hazard.

NOTE: Subitem B must be heard before Subitem A.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D128; E005-101.)

ITEM-S412: (R-92-118 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-278335

Supporting the compromise alternative of an at grade alignment from Ash Street to Ivy Street as presented in the Harborview/Old Town Light Rail Transit Study with a grade separation over Laurel Street.

(District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A132-D127.)

MOTION BY ROBERTS TO ADOPT AS AMENDED AS FOLLOWS: RECOMMEND TO MTDB IF AN ADDITIONAL \$7 MILLION (NEEDED TO FUND BELOW GRADING) COULD BE AVAILABLE WITHOUT SLOWING DOWN CONSTRUCTION OF THE TROLLEY LINE OUT TO THE STADIUM, AND IF EITHER FEDERAL, STATE OR PORT FUNDS COULD BE FOUND TO PUT LAUREL STREET BELOW GRADE, THEN THAT WOULD BE COUNCIL'S PREFERENCE. HOWEVER, IF THOSE FUNDS ARE NOT AVAILABLE, THEN THE COUNCIL WOULD FULLY SUPPORT AN ABOVE-GRADE STRUCTURE AT LAUREL STREET. PRIORITY WOULD BE GIVEN TO THE TROLLEY OVER AUTOMOBILE TRAFFIC AT STREET CROSSINGS AT ON-GRADE STREETS, AND THAT A STATION BE BUILT AT THE JUNIPER AND IVY LOCATION. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: COMMENDATION MADE

Commending the San Diego City School's "Young At Art" Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A016-079.)

ITEM-S501: RECOGNIZED

Recognizing and welcoming Mr. Hernan Lagos Zuniga, the Mayor of Arica, Chile, who is visiting San Diego as part of a US Information Agency-sponsored tour of the United States.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Tuesday, July 16, 1991**

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FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A082-126.)

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 2:40
p.m. due to lack of a quorum.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E005-101).